



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

KUTT et al.

Serial No.: 10/806,886

Filed: March 22, 2004

Atty. File No.: 4239-3-1-1

For: "METHOD AND SYSTEM FOR  
REDUCING BODY WEIGHT IN AN  
ENCLOSED ATMOSPHERIC  
ENVIRONMENT"

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

) Group Art Unit: 1724  
)

) Examiner: LAWRENCE Jr., Frank M.  
)

) TERMINAL DISCLAIMER  
)

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Dear Sir:

I, Joseph E. Kovarik, am authorized to sign this document on behalf of Colorado Altitude Training LLC, owner of the entire right, title and interest in and to U.S. Patent Application Serial No. 10,806,886, for "METHOD AND SYSTEM FOR REDUCING BODY WEIGHT IN AN ENCLOSED ATMOSPHERIC ENVIRONMENT", filed March 22, 2004, said assignment being recorded in the U.S. Patent Office at Reel 012358, Frame 0641.

I hereby disclaim, on behalf of Colorado Altitude Training LLC, the terminal part of any patent granted on U.S. Patent Application Serial No. 10/806,886 which would extend beyond the expiration date of U.S. Patent Nos. 6,565,624 and 6,827,760 and hereby agree on behalf of Colorado Altitude Training LLC that any patent granted on U.S. Patent Application Serial No. 10/806,886 shall be enforceable only for and during such period that the legal title to said patents shall be the same as the legal title to U.S. Patent Nos. 6,565,624 and 6,827,760, this agreement to run with any patent granted on U.S. Patent Application Serial No. 10/806,886 and to be binding upon the grantee of such patent and its successors or assigns.

I do not disclaim any terminal part of any patent granted on U.S. Patent Application Serial No. 10/806,886 prior to the expiration date of the full statutory term of U.S. Patent Nos. 6,565,624

and 6,827,760 in the event that any such patents later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), have all claims cancelled by reexamination certificate, or are otherwise terminated prior to expiration of their statutory terms as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The evidentiary documents accompanying or referred to in the instant Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of assignee's knowledge, title is in the assignee.

A check for the statutory disclaimer fee of \$55.00 as specified under 37 CFR 1.20(d) is enclosed herewith.

By: \_\_\_\_\_

Joseph E. Kovarik

Date: \_\_\_\_\_

J:\4239\3\1\1\PTO\terminal disclaimer.wpd